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Human Rights and Democracy: India's Experience

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Abstract

During the last six decades, human rights have become a live and vibrant issue in the free world. Human rights as the recognition of inherent and basic individual worth and dignity are as old as human civilization. An individual attains by birth some rights as human being. Thus the idea of human rights is civilization as it is a political idea with moral base. The concern for and of human rights has been institutionalized after General Assembly of UN adopted and proclaimed the Universal Declaration of Human Rights in the mid twentieth century. The expression "human rights" suggests rights of all human beings. The moral foundation of human rights to universality has not been questioned yet at least in principle, though there are some instances of rejection to this aspect of universality, either manifest or disguised, are fairly large in all parts of the world. The idea of democracy has led to great expectations to the people. It has become a key point of political legitimacy. In fact it is producing the greatest disillusionment and frustration recently. From the late 19th Century democracy and capitalism appear to have moved along independent yet parallel paths. During the 20th Century they gained in strength, interacting mutually and establishing an interface. The result of which the concept of welfare state emerges, defines the role of the state in an interventionist manner. On representative democracy Benjamin Barber says, 'Representations destroys participation and citizenship even as it serves accountability and private rights.' Indian Constitution, the most right-based Constitution of the world, provides ethical foundation of human rights in its Preamble, while the legal expression of these found in Part-III and part-IV of the Constitution.

Key words: Human Rights, Democracy, Constitution, violence, crime, corruption and India.

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